1	CAROLYN BROUSSARD, ESQ.								
	Nevada State Bar No. 4545								
2	State of Nevada, Department of								
	Employment, Training & Rehabilitation (DETR),								
3	Employment Security Division (ESD)								
4	2800 E. St. Louis Avenue								
4	Las Vegas, NV 89104 Telephone No.: (702) 486-0295								
5	c-broussard@detr.nv.gov								
	Attorney for State of Nevada DETR/ES	D							
6									
_	UNITED STATES BANK	KRUPTCY COURT							
7	DISTRICT OF	NEVADA							
8	DISTRICT OF								
9									
10	IN RE:								
10	MARIA G. NOVARRO,	CASE NO.: BK-24-15884-abl							
11	MARIA G. NO VARRO,	CASE NO.: BK-24-13004-401							
	Debtor(s).	CHAPTER 7							
12									
	EMPLOYMENT SECURITY DIVISION,								
13	STATE OF NEVADA and KRISTINE	Advorcery Cose No.							
14	NELSON, in her capacity as Administrator of the EMPLOYMENT SECURITY	Adversary Case No.:							
17	DIVISION; J. THOMAS SUSICH, in his								
15	capacity as Chairperson of the	COMPLAINT OBJECTING TO							
	EMPLOYMENT SECURITY DIVISION	DISCHARGE							
16	BOARD OF REVIEW,								
17	D1-:-4:CC								
1 /	Plaintiff,								
18	VS.								
19	MARIA G. NOVARRO,								
20									
20	Defendant.								
2.1									

21 Carolyn Broussard, Esq. Legal Counsel State of Nevada DETRIESD 2800 E. St. Louis Avenue Las Vegas, NV 89104 (702) 486-0295

COMES NOW, the Plaintiff, Nevada Department of Employment, Training and Rehabilitation, Employment Security Division, and Kristine Nelson, Administrator, by and through Division Senior Legal Counsel, Carolyn Broussard, Esq. (hereafter collectively, "ESD"), and files this Complaint to challenge the dischargeability of Defendant Maria Novarro's ("Defendant") debt¹ pursuant to 11 U.S.C. § 523(a)(2), alleging as follows:

PRELIMINARY STATEMENT

This is a Complaint objecting to the discharge of Defendant's debt owed to ESD based upon 11 U.S.C. § 523(a)(2).

- 1. On November 7, 2024, Defendant filed a Chapter 7 Bankruptcy Petition with the District of Nevada under Case No. BK-24-15884-abl ("Bankruptcy Case"). *See* ECF No. 1.
- 2. The last day to file a Complaint to object to Defendant's discharge is February 7, 2025. *See* ECF No. 5 at p. 2 of 2.

21 Carolyn Broussard, Esq. Legal Counsel State of Nevada DETR/ESD 2800 E. St. Louis Avenue Las Vegas, NV 89104 (702) 486-0295

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¹ See, EFC No. 1. Assuming a debt, interest thereon would accrue in accordance with NRS Ch. 612 (NRS 612.445(9) and 612.620) -- 1% per month.

References to "ECF No." are to the number assigned to the documents filed in the relevant bankruptcy case, as they appear on the docket. References to "AECF No." are to the documents filed in the above-captioned adversary proceeding. References to "Section" are to the provisions of the Bankruptcy Code, 11 U.S.C. §§ 101-1532. References to "FRBP" are to the provisions of the Federal Rules of Bankruptcy Procedure. References to "FRCP" are to the Federal Rules of Civil Procedure. References to "FRE" are to the Federal Rules of Evidence.

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3. The filing of this Complaint objecting to Defendant's discharge is timely filed.

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JURISDICTION

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4. Jurisdiction over this adversary proceeding is based on 28 U.S.C. §1334 and §157, Federal Rule of Bankruptcy Procedure 8001, 11 U.S.C. §105(a) and 11 U.S.C. §523.

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5. This adversary proceeding is a core proceeding pursuant to 28 U.S.C.

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§157(b)(2)(J) and (O).

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STATEMENTS UNDER OATH

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6. Plaintiff, ESD incorporates by reference paragraphs 1 through 5 of this Complaint as though fully set forth and restated herein.

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7. ESD is a division of an administrative department of the State of

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612 of the Nevada Revised Statutes (NRS). The legislative intent of the

Nevada, duly created, organized, existing and acting under and by virtue of Chapter

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unemployment compensation statutes contained in such chapter is to provide

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temporary assistance and a measure of economic security for persons who become

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involuntarily unemployed. Chapter 612 of NRS is also known and cited as Nevada's

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Unemployment Compensation Law.

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8. On May 2, 2022, the ESD Investigator spoke with the Defendant when she was given a 48-hour advisory regarding her unreported earnings. She was

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advised to provide her daily timecard records with paycheck stubs or weekly gross

earnings in a Sunday through Saturday format starting from her first day of work through her last day worked with Hilton Resorts Corporation. Exhibit 1, pp. 1-4. When the requested documentation was not received, the Defendant was provided a second 48-hour advisory on October 6, 2022, a third 48-hour advisory on March 14, 2023, and a fourth and final call was made to request information regarding unreported earnings, to which there was no answer to the telephone call by the Defendant. Exhibit 1, p 4. Due to the Defendant's non-responsiveness, it was determined that the Claimant was not present for any scheduled telephone interview, and she did not attempt to contact the Division regarding the pending issue, nor did she attempt to schedule an interview regarding same. Exhibit 1, p. 5.

9. The ESD made the determination that there was fraud with intent to misrepresent facts in order to obtain unemployment benefits had been established because when the Defendant did respond to the ESD's requests, and then provided handwritten wage information that she copied from her payroll records showing she failed to properly report her gross earnings for a total of 31 weeks, while simultaneously filing for unemployment benefits. The Defendant indicated she always reported earnings, but not her gross earnings as reported by the employer on their quarterly earnings quarterly reports. Regardless, the Defendant was not even reporting her net earnings per her own records. Therefore, the ESD determined that the Defendant failed to properly report her gross earnings in order to fraudulently

obtain unemployment benefits, and misrepresentation was therefore established. Exhibit 1, p. 25.

10. On June 5, 2024, stemming from findings made, ESD prepared a "CASE SUMMARY" and "DETERMINATION" *See* Exhibit 1 p. 24-25. The "Case Summary," dated June 5, 2024, stated:

The claimant provided handwritten wage information that she copied from her payroll records showing she failed to properly report her gross earnings for a total of 31 weeks while simultaneously filing for unemployment benefits. Wach week the claimant has filed for benefits, the claimant was asked the question "Even though you may not have been paid your wages, did you work during the week of (benefits week start date) to (benefit week end date)? If the claimant answered the question "Yes" the claimant was asked "If you worked during the week of (benefit week start date) to (benefit weekend date) enter your gross earnings and tips for the week? The claimant provided handwritten records showing her net earnings, not her gross earnings as reported by the employer on their quarterly earnings quarterly reports. Regardless, the claimant was not even reporting her net earnings per her own records. It has been determined the claimant failed to properly report her gross earnings in order to fraudulently unemployment obtain additional benefits. Misrepresentation has been established.

Exhibit 1, p. 24. The "Fraud" Determination stated:

The claimant provided handwritten wage information that she copied from her payroll records showing she failed to properly report her gross earnings for a total of 31 weeks while filing for unemployment benefits. The claimant indicated she always reported her work and earnings. The claimant provided handwritten records showing her net earnings, not her gross earnings as reported by the employer on their quarterly earnings quarterly reports.

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1	Regardless, the claimant was not even reporting her net
2	earnings per her own records. It has been determined the claimant failed to properly report her gross earnings in
3	order to fraudulently obtain unemployment benefits. Misrepresentation has been established.
4	Exhibit 1, p. 25.
5	10. On June 6, 2024, the ESD mailed decisions to Defendant, informing
6	her that she was not entitled to UI benefits for a total of 31 weeks. The decisions
7	explained the disqualifications stating:
8	As you failed to properly report work and earnings, in
9	addition to the disqualification shown above, you are ineligible to receive benefits from 6/2/2024 to 5/31/2025,
10	or until all benefits improperly received have been repaid in cash with any penalty and interest as allowed by law,
11	whichever of the time periods is LATER.
12	Exhibit 2 at pp. 1, & 5. It added:
13	You did not properly report your earnings when filing for benefits for various periods beginning 04/4/2021 and ending 04/09/2022while you were employed with Hilton
14	Resorts Corporation for a total of 31 weeks. Filing for Unemployment Insurance benefits without properly
15	reporting your earnings is misrepresentation.
16	Exhibit 2 at pp. 1, & 5. The decision included the "pertinent" citation of NRS
17	612.445 stating:
18	A person shall not make a false statement or
19	representation, knowing it to be false, or knowingly fail to disclose a material fact in order to obtain or increase any
20	benefit or other payment under this chapter [Ch. 612 of NRS], including, without limitation, by failing to properly
21	report earnings A person who violates the provisions of this subsection commits unemployment insurance

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fraud. The Division [ESD] shall impose a penalty of not less than 15% nor more than 50% of the total amount of benefits received by the person in violation of subsection 1.

Exhibit 2 at pp. 2 & 6. The decisions, mailed to the Defendant by ESD on June 7, 2024, spelled out Defendant's appeal rights. Exhibit 2. There was no appeal and, thus, no exhaustion of administrative remedies.

- 11. On June 7, 2024, the Defendant was mailed a notice that she had an unpaid, at fault, overpayment of unemployment compensation in the amount of \$11,035, and penalties in the amount \$1,067, and pursuant to NRS 612.365 the amounts must be refunded to the State of Nevada. The notice advised the Defendant that the overpayment is final unless an appeal was filed by 6/18/24, and contained appeal rights and instructions for appealing the overpayment. Exhibit 3. The total balance owed to the ESD by the Defendant is \$12,102 as reflected in the Overpayment Breakdown, which was also mailed to the Defendant. Exhibit 4. No effective appeal of the overpayment notification was filed by or on behalf of the Defendant. Defendant therefore failed to exhaust his administrative remedies.
- 12. Chapter 612 of the Nevada Revised Statutes provides for judicial review of decisions of the Board. NRS 612.525(1) states as follows:

...[J]udicial review ... is permitted **only** after any party claiming to be aggrieved thereby has exhausted administrative remedies as provided by this chapter. (Emphasis added)

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- 13. Defendant benefited by more than \$10,000.00, by failing to properly report his earnings in violation of NRS 612.445(1) and (6). NRS 612.445(5) provides: "5. A person who obtains benefits of \$1,200 or more in violation of subsection 1 [of NRS 612.445] shall be punished in the same manner as theft pursuant to subsection 2 of NRS 205.0835." NRS 205.0835(2)(c) and (3) provide:
 - 2. If the value of the property or services involved in the theft:
 - (c) Is \$5,000 or more but less than \$25,000, the person who committed the theft is guilty of a category C felony and shall be punished as provided in NRS 193.130.

. . .

3. In addition to any other penalty, the court shall order the person who committed the theft to pay restitution.

FIRST CAUSE OF ACTION 11 U.S.C. § 523(a)(2)

- 14. Plaintiff ESD incorporates by reference paragraphs 1 through 13 of this Complaint as though fully set forth and restated herein.
 - 15. 11 U.S.C. § 523(a)(2), provides:
 - (a) A discharge under section 727 \dots of this title does not discharge an individual debtor from any debt –

. . .

(2) for money ... to the extent obtained by—
(A) false pretenses, a false representation, or actual fraud, other than a statement respecting the debtor's or an insider's financial condition; ...

Accordingly, in light of the foregoing and final adjudication of unemployment insurance fraud by the State of Nevada, Defendant is not entitled to receive a

1	discharge of the subject fraud-based unemployment insurance (UI) benefit
2	overpayment debt. Such debt, based on fraud and owed by Defendant to ESD,
3	should be exempted from discharge.
4	WHEREFORE, Plaintiff Nevada ESD prays for Judgment as follows:
5	1. Pursuant to 11 U.S.C. § 523(a)(2), Defendant's indebtedness to ESD of
6	\$11,035, plus penalties of \$1,067, as of June 7, 2024, with interest thereon accruing
7	at the legal rate, should be excepted from discharge; and,
8	2. For any other further relief as this Court deems just and proper.
9	RESPECTFULLY SUBMITTED this 30th day of January, 2025.
10	/s/ Carolyn Broussard
11	CAROLYN BROUSSARD, ESQ. Nevada State Bar No. 4545 State of Nevada Department of Franciscoper
12	State of Nevada, Department of Employment, Training & Rehabilitation (DETR), Employment Sequenty Division (ESD)
13	Employment Security Division (ESD) 2800 E. St. Louis Avenue
14	Las Vegas, NV 89104 Telephone No.: (702) 486-0295
15	<u>c-broussard@detr.nv.gov</u> Attorney for ESD
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1	EXHIBIT 1	LIST
2		FRAUD INVESTIGATED REPORT – UNREPORTED EARNINGS
3		612.445
4	Exhibit 2 –	ESD DECISION OF DISQUALIFICATIONS FOR FRAUD
5	Exhibit 3 –	NOTIFICATION OF OVERPAYMENT
6	Exhibit 4 –	OVERPAYMENT BREAKDOWN
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Carolyn Broussard, Esq.
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CERTIFICATE OF SERVICE 1 T undersigned hereby certifies that on the date set forth below, I 2 electronically filed the COMPLAINT OBJECTING TO DISCHARGE with the 3 Clerk of the United States Bankruptcy Court for the District of Nevada using the 4 CM/ECF system which sent notification of such filing to the following: 5 6 Defendant: Maria G. Novarro 5154 Clatsop Street 7 Las Vegas, NV 89122 8 Defendant's Attorney: Seth Ballstaedt, Esq. Ballstaedt Law Firm, LLC, dba 9 Fair Fee Legal Services 8751 W. Charleston Blvd. #230 10 Las Vegas, NV 89101 help@bkvegas.com 11 Bankruptcy Trustee: Brian D. Shapiro 12 510 S. 8th Street Las Vegas, NV 89101 13 U.S. TRUSTEE-LV-7: Bankruptcy Clerk's Office: 14 300 Las Vegas Boulevard, So. **Suite 4300** 15 Las Vegas, NV 89101 USTPRegion17.LV.ECF@usdoj.gov 16 **DATED** this 30th day of January, 2025. 17 /s/ Andrew Wiersema 18 ANDREW WIERSEMA 19 20

Carolyn Broussard, Esq. Legal Counsel State of Nevada DETR/ESD 2800 E. St. Louis Avenue Las Vegas, NV 89104 (702) 486-0295 Exhibit 1 – FRAUD INVESITGATED REPORT – UNREPORTED EARNINGS 612.445

FRAUD INVESTIGATIVE REPORT UNREPORTED EARNINGS 612.445

Claimant		Claimant ID Number	Investigator		
MARIA NOVARRO		4526283			
SECTION 1			M 37		
	Case Re	view			
Detect Date: 06/02/24		Inte	rview Date:		
Source: CrossMatch - Wage (D = dropdown n	nenu)				
Offense Type: First Offense					
Prior Disqualification: Popularies (See "Administrative Penalty" Section for details)					
Period(s) under investigation: 03/28/21 - 04	/09/22				
Did claimant report earnings during thom Is there a break in filing to explain any of the control of the contr	discrepancy? plained by the brear case) will automatically in	Yes 🛛 No eak in filing? 🗌 Yes 🖾 N	•		
Employer #: 18444800					
Period 03/28/21 - 04/09/22					
2. Employer #: Period –					
3.					
Employer #:					
Period –					
4.					
Employer #:					
Period –					



SECTION 2

Claimant Interview

	Claimant interview
1. PRIMARY PHONE Phone Number: Date/Time of Voice Mail Box: Message:c	called
2. ALTERNATE PHONE	on file. ne called
OTHER ATTEMPT(S)	
Note: Phone Number: Date/Tir Voice Mail Box: Message:	ne called
Claimant identity verified? Yes ☐ N	Interview conducted in Spanish By:
name(s) during (period of the unrepo determination will be issued based of A courtesy request has been sent to issued until the information is received	Interview today to discuss failure to properly report your work and earnings with (Employer(s) interview today to discuss failure to properly report your work and earnings with (Employer(s) parted earnings). You must contact me within two business days to review this information or a sun the information in the file. It is your responsibility to provide the requested wage information. Your employer. If wage information has not been received, an indefinite disqualification will be sed. You may contact me at (telephone number). If you reach my voice mail, please leave a phone, I will return your call. If you are unable to return the call, you may upload a statement of and earnings, daily attendance records with copies of your check stubs to CSS/UI account
are required to provide any and all inform truth, you will be disqualified until you rej NOT be allowed to repay an overpaymen regardless of how far in the future. Your	ification Advisory given ther or not you properly reported work and earnings while filing for unemployment benefits. You nation requested. If you hide information, fail to cooperate or otherwise fail to tell the entire pay any and all benefits in cash or for a year's period, whichever of the two is longer. You will not by claiming weeks of unemployment when you are not working, regardless of hardship and efforts to cooperate in this investigation will be considered when the Division determines what you understand? Their response: "YES"

Fraud Advisory:

"If you work during a week and claim unemployment insurance benefits the same week, even if you will not be paid until a future date, you are required to report that work and the gross amount you will receive for those services in that week. Failure to do so is considered fraud. When you file your claim for benefits and are asked, "Even though you may not yet have been paid, did you work?" If you answer that you did not work, and you actually did, you will be disqualified for future benefits, for up to 52 weeks. No excuses will be accepted. It is your responsibility to report your employment and gross income when receiving unemployment compensation. Do you understand this advisory?" Their response:



MAADL	A NI	011	AD		
MARIA	A N	UV	AΚ	К	u

Cla	aimant Questions:
1.	Did you receive the Unemployment Facts for Claimants Booklet? Yes No a. Did you read it? Yes No i. If no, explain why? b. Did you certify that you had read the booklet when filing through the internet? Yes No c. If no, explain why
2.	Do you have the debit card in possession? Yes No a. If no, explain why?
	How are you receiving your unemployment benefits? a. Debit Card Direct Deposit
	How did you file your weekly claims? Telephone Internet
	Did YOU file your own weekly claims? Yes No a. If no, please explain:
6.	Did you report earnings on the weekly claims? Yes No a. If yes, how did you calculate how much earnings to report each week?
7.	Did you work last week? ☐ Yes ☐ No –
8.	 Who was your most recent employer? a. Dates of employment: - , rate of pay and reason for separation b. Address: Phone number: Additional notes:
9.	Did you work for ? Yes No a. Dates of employment: — , rate of pay , weekly average of hours worked , job title and reason for separation . b. Address: Phone number: c. Additional notes:
10	Did you work for any other employer during the period of through ? ☐ Yes ☐ No a. if yes, name of employer , dates of employment: — , rate of pay , weekly average of hours worked , job title and reason for separation b. Additional notes:
11.	You filed weekly claim(s) for the period to and you and you did not report your work and earnings. a. (Did not report) When you filed your weekly claim(s) you were asked: "Even though you may not have been paid, did you work?" (* see below)
	b. (Partially reported) When you filed your weekly claim(s) you were told: "You indicated that you worked during the week of your claim. You must report wages and tips when you earn them, not when you are paid. Please enter the total dollar amount of your earnings before deductions. DO NOT ENTER CENTS." (**



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(*) Why did you fail to properly report your work and earnings?
Claimant Statement:
Claimant: (IWF @ 03/17/2023 4:29 PM) MARIA NOVARRO,
Attempted to contact claimant again in regards to UE issue. Called number on file. No answer, did not leave voicemail since this is the second attempt. a decision will be made based off the information on file.
Claimant: (IWF: @ 03/14/2023 4:43 PM) MARIA NOVARRO, 48 Hour Advisory
Attempted to contact claimant in regards to UE issue. Called number on file. No answer Generic Voicemail. Advised claimant to contact me back within 48 hrs to discuss issues on UI Claim. left call back number.
Claimant: (IWF: @ 10/06/2022 9:30 AM) MARIA NOVARRO, 48 Hour Advisory Called claimant on 10/6/22 AT 930 AT No Answer// Sent Call-In Letter
Claimant: (IWF: @ 05/02/2022 10:52 AM) MARIA NOVARRO, 48 Hour Advisory. Spoke to Clmt -AND- I'm calling today because DETR received information regarding your employment with HILTON RESORTS CORPORATIONand that you may have possibly failed to properly report your work and earnings while filing for benefits. You are advised to provide your daily time card records with paycheck stubs or weekly gross earnings in a Sunday through Saturday format starting from your first day of work through your last day worked or most recent date worked with HILTON RESORTS CORPORATION]. An adjudicator will contact you to discuss your claim with you. If you are not available for the interview with the adjudicator, then please fax a statement within 48 business hours from the time of this call to with your name, last four of your social security number or claimant ID with the requested information as mentioned, and explain why you failed to report your work and earnings while filing for unemployment insurance benefits. If you are not available for the interview or provide your statement along with the requested wage information, then a decision will be made based on the available information in the file.
Felony Advisory Were you aware that the State of Nevada passed a law in 2009 that made a knowing or deliberate failure to properly report all work and earnings a felony? Their response: "



								MAR	RIA NO	/ARRO
Request f	or Gross	Wage Info	ormation							
a.		150 M	oyer(s): RESORT COI /28/21 - 04/0 -	2016 (BB)	ł					
You must pro the information	vide the re on in the file ne requeste	quested wage e. A courtesy r ed information	d consequence information to y equest has beer is not received,	our CSS accou sent to your er	nt/UI claim within mployer, but it is	your responsibil	lity to make	sure that the	e information	is
Closing S	Stateme	ent and A	dvisories: Y	es 🗌 No 🗀	3					
 Appea 	I Rights	of the Law Repayment								
you will be required by benefits plu charged wi due, the St repaid. Yo	disquality law. Yous penalty the crimate can au cannot	lied for the value may be as ies must be inal offense and will file a discharge a	our statement weeks you in ssessed a told repaid before of felony une civil judgmen fraudulent o your efforts.	properly clain of penalty of the you would be comployment for the period of the period	med and will to up to 50% of be eligible to read. If you dincome tax rendered	ne assessed neenefits impro receive unemp to not make nefund, and gar court. Dispo	no less the perly clai ployment easonable rnish you sition of y	in an addi med. All i benefits. e efforts to paycheck	tional 15% mproperly You can als repay any cuntil all an	penalty as claimed so be amounts nounts are
the Divisio	on regar	ding this p	ailable for the ending issue em showing	nor was th	ere an atten	npt to resche	edule the	interviev	v. No	
Departme	ent Rep	resentati	ve	Date	06/05/24					



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SECTION 3	
Employer Information	
Employer: HILTON RESORTS CORPORATION Period: 03/28/21- 04/09/22	
 Wage Request Sent ☑ Date: 04/11/22 Via: Mail Due Date: Requested Information Received on: 	
Note: Phone Number: Date and Time Called: Other:	
^D Note:	
2 nd Wage Request Sent ☑ Date: 05/03/22 Via: Mall Due Date: Requested Information Received on: Note: ☑ The required information was NOT received at the time the determination was issued.	
2. Employer: Period: -	
 Wage Request Sent Date: Via: Mail Due Date: Requested Information Received on: 	
Note: Phone Number: Date and Time Called:	
Person Spoken With:	
Employer Statement:	
 2nd Wage Request Sent Date: Via: Mall Due Date: Requested Information Received on: 	
Note:	
☐ The required information was NOT received at the time the determination was issued.	



SECTION 4

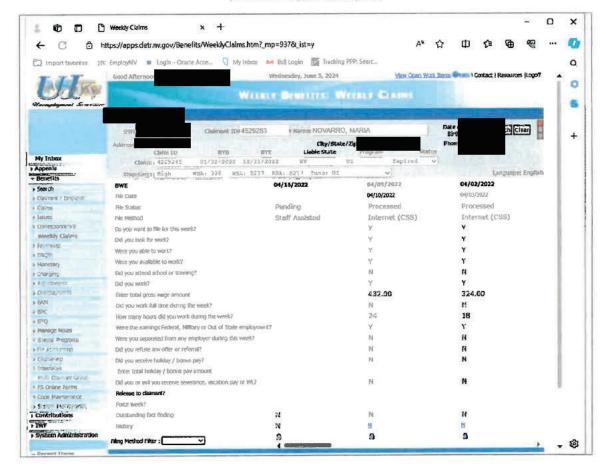
Additional Information

Claimant Rebuttal Note:	
Phone Number: Statement:	Date and Time Called:
Employer/Third Part	Rebuttal:
Company or Agency Network Phone Number: Person Spoken With: Employer Statement:	Name: Date and Time Called:
Note:	
Issue was detected i	by the New Hire Directory
State New Hire Employer:	☐ National New Hire
	Copy and Paste "Note" from UINV
Note to File	
Date:	
Statement:	

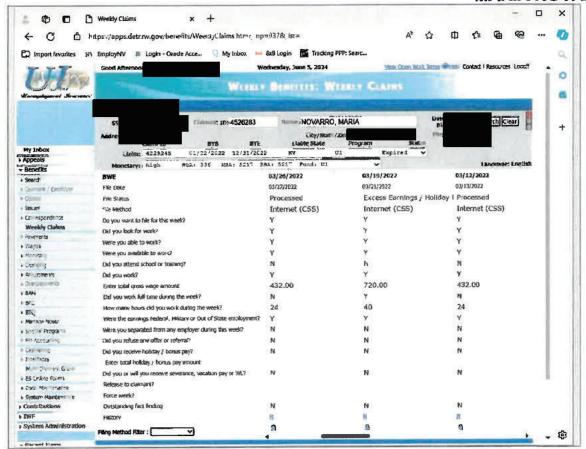


The following is the claimant's Weekly Filing records for the weeks in question.

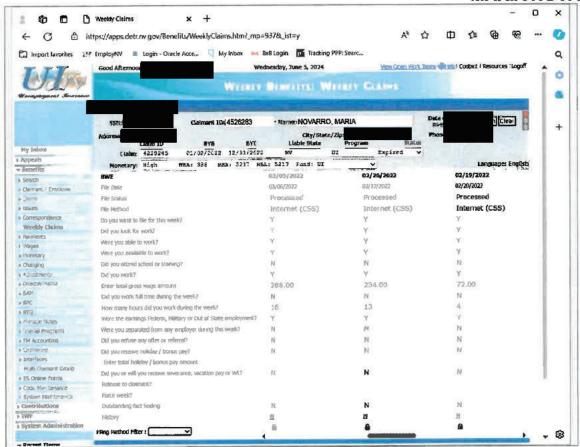
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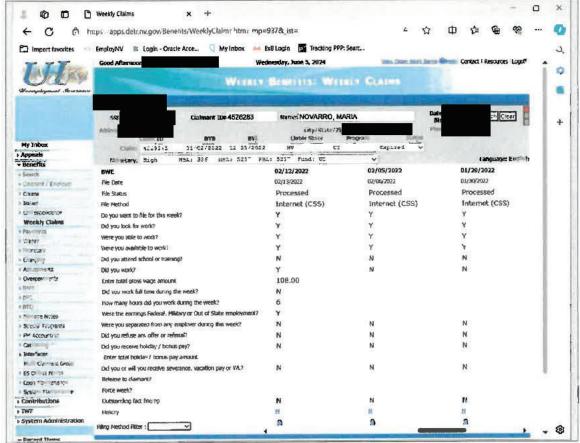




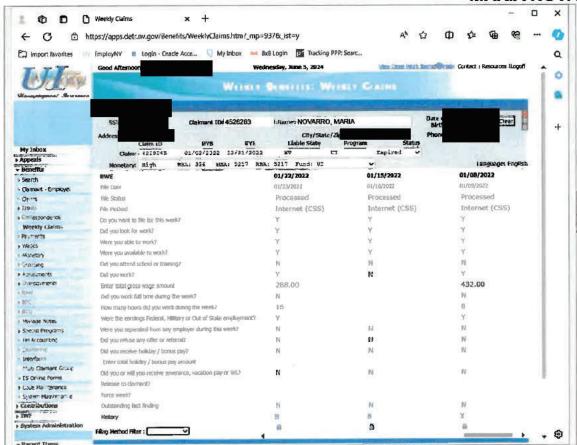








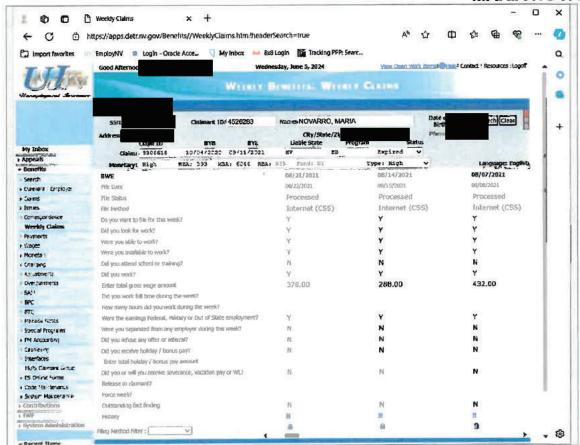




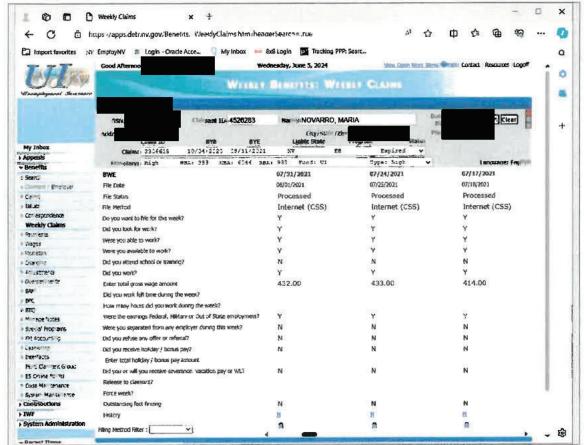


MARIA NOVARRO O 1 10 10 Weekly Claims ← C 🖞 https://apps.detr.nv.gov/Benefits//VieeklyClaims.htm?headerSearch=true 0 4 13 Ф 企 电 60 Import favorites H1 EmployNV II Login - Oracle Acce... | My Inbox | Ms Login Tracking PPP: Searc... Q Wednesday, June 5, 2024 Mes Committee Design Contact Resources Logiciff Good Afternoon 0 WEERLY BENEFILE: WEERLY GLADES 为区流制 ISTURE NOVARRO, MARIA man 10# 4526283 + City/State/Zio: My Inbox Chates: 8306616 10/04/2025 59/11/2021 10/04/2:25 09/11/2021 KV WBA: 292 (BA: 6044 RBA: 935 Fand: CI Expired ZB Monetary: Righ Type: Righ BWE 09/11/2021 09/84/2021 08/28/2021 File Date 09/12/2021 09/05/2021 08/29/2021 A Country Emola of File Status Processed Processed Processed + Calme + Ess ser Internet (CSS) Internet (CSS) Internet (C55) File Method (Correspondence Do you want to file for this week? Weekly Claims Did you look for work? שחוייולם Were you able to work? Y # Viages Were you available to work? Y ¥ Did you attend school or training? N N N Green Did you work? · Overps: orts Enter total gross wage amount 288.00 144.00 Did you work hill time during the week? 1 850 How many hours did you work during the week? · BIG Were the excretops Federal, Hilitary or Duk of State employment? Y · Hanage luges N N - School Procrams Were you separated from any employes during this week? FM Addalating Old you refuse any offer or referra?? N N · CW PT Det you receive holdery / bonus pay? N N » Interfaces Enter total holiday / bonus pay amount M. J. Cartians Gou. Did you or self you receive severance, vacation pay or VAL? ES Onene Forms Release to clamare? . Code Mar cenanos Force week? Sala Mart. · Contributions N Dubstanding fact finding N History 4 0 Rilling Method Riller: 100

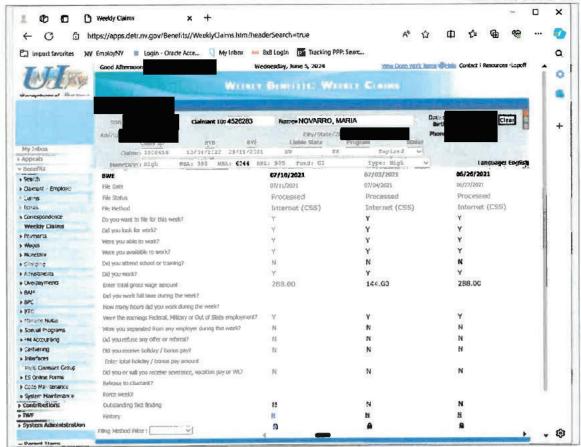








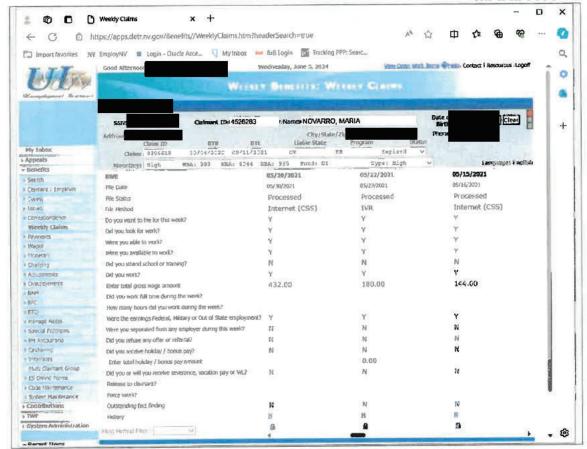




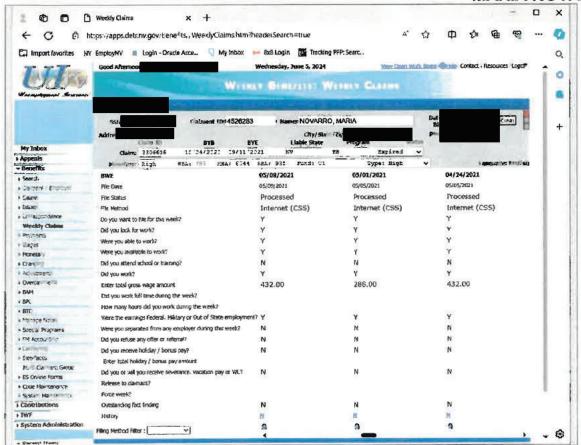


MARIA NOVARRO Weekly Claims 4 C https://apps.detr.nv.gov/8enefits-/Weeklyclaims.htm?headerSearch=true * \$ 中华鱼鱼 Import lavorites EmployAV II Login - Oracle Acce... 🔍 My Inbox 🐸 Bx8 Login 🔯 Tracking PPP: Searc. . Q Good Afternood Wednesday, June 5, 2024 White Coats Work Borns Chigns Contact Resources Logoff 0 Wiener Bemernen, Werner Cinem đ Claimant 10s 4526283 NOVARRO, MARIA Clear + Chy/S Zig Liebin State Chairt 23'4114 10/04/2020 19/11/2021 Expired Fundi VI memerature High WEAT 193 188A: C144 FBA: 935 Type: High BWE 96/19/2021 06/12/2021 06/05/2021 File Date Coment / Employer 06/20/2023 06/13/2021 06/06/2021 File Status Processed Processed Processed - Estuari File Method Internet (CSS) Internet (CSS) Internet (CSS) Cc. aspendence Do you want to file for this week? Weekly Claims Did you lack for we:k? Were you able to work? Y · Vitares · Married (Were you available to work? Y Y Did you attend achool or training? N N N Adjustice is Old you work? Y Decar e s Enter total gross wage amount 252.00 432.00 432.00 Did vos work full time during the week? . PPC How many hours did you work during the week? RTQ Ministre Actes Were the earnings Federal. Military or Out of State employment? S.E. a Programs Were you separated from any employer during this week? N N + PM Accounting Old you refuse any offer or referral? N N Cashilli Did you receive holiday / bonus pay? N 14 N a Interface: Enter total holiday / bonus pay amount Did you or will you receive severance, vacabon pay or WL? N N N ES CY LIE NO TO Release to clamars? Cour *1+ tenance System Marite - 1 e Contributions Force week? Outstanding fact finered N N History Filing Hethod Filter: 9 2 (8)

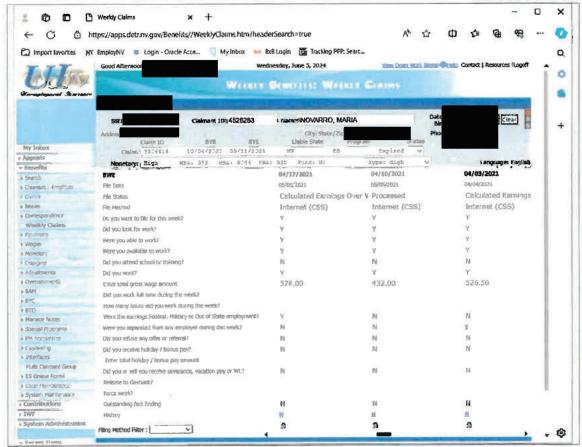








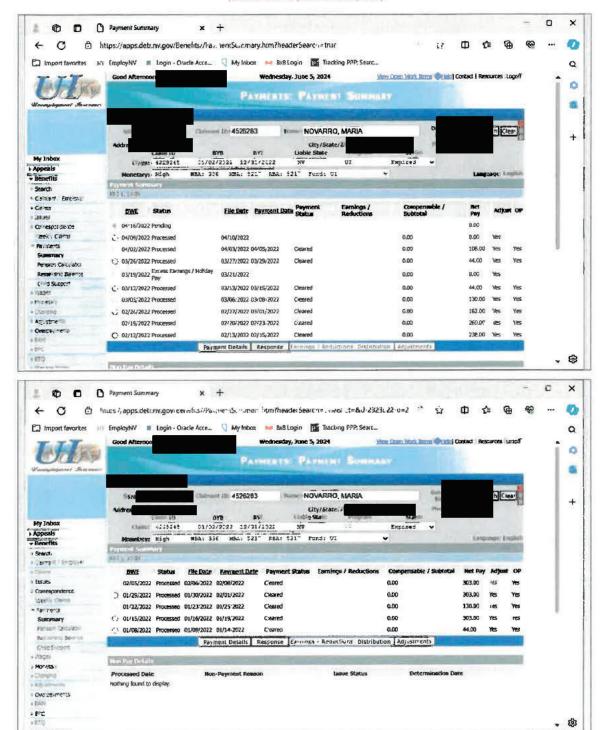




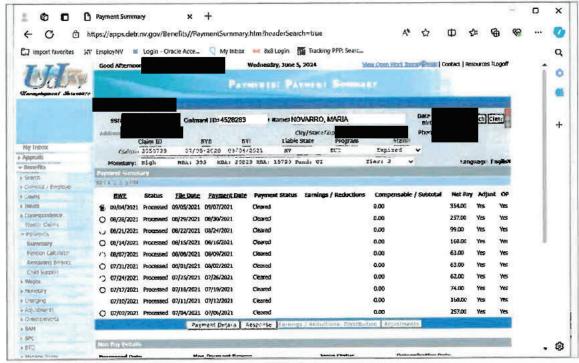


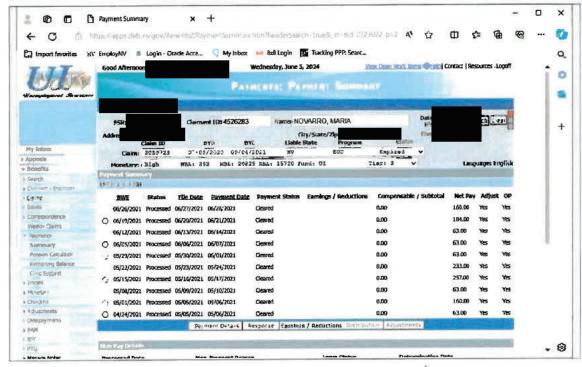
The following is the claimant's Payment Summary for the weeks in question.

(Unlock form to paste screen-prints)











MARIA NOVARRO Payment Summary ← C 🖒 https://apps.detr.nv.gov/Benefits//PaymentSummary.timi?_st=ixio-2323022-o=3&headerSev-ch=true 🗚 🌣 €2 Ф **₽** Import favorites 5% EmployNV it Login - Oracle Acce... 🔍 My Inbox 🐸 8x8 Login 🌠 Tracking PPP: Searc... 0 Yes Onto Work home Septing Contact) Resources Logoff Wednesday, June 5, 2024 0 PAYMENTS: PAYMENT SUMMANY depart Seween 6 Garneret 10d 4526283 NZRM NOVARRO, MARIA + BYE My Inbox Chiles 325/729 Excirci 07105/2020 05/04/2021 vv EUC Appeals MSA: 393 MER: 20029 RBA: 15720 Fund: 52 Monetary: Migh Tier: 3 · Benefits Language: Eng. Daymovit Suries Search (Cartest | Probye i Chirt File Date Payment Data Status TWE Status Adjust OP d Baccase 04/17/2021 Calculated Earnings Over sich espi dance 05/05/2021 0.00 0.00 VIEL OF S O 04/10/2021 Processed 05/05/2021 05/06/2021 0.00 63.00 Yes - Cynnegels 04/03/2021 Calculated Earnings Over WBA 04/04/2021 Summary Pers Colonian 0.00 0.03 Yes C 03/27/2021 Processed 03/28/2021 03/29/2021 0.00 354.00 Cleaned Yes Remot of 650 Ct 10/03/2020 Processed 10 04/2020 10/05/2020 393.00 354.09 Yes Cleared C CS SOT O 09/26/2020 Processed 09/27/2020 09;28/2020 393.00 354.00 r Wages s Neperthris 09/19/2020 Processed 09/20/2020 09/21/2020 393.60 354.00 VPs Cleared · Carpro O 09/12/2020 Processed 09/13/2020 09;14/2020 Cleared 393.00 354.00 Yes 09/05/2020 Processed 09 06/2026 09/08/2020 393.00 354.00 Yes E230 C 08/29/2020 Processed 08/30/2020 98/31/2020 Cleared 393.00 354 00 Vec Payment Defails Response Earnings / Reductions Distribution | Adjustments FTQ + 0



SECTION 5

Case Summary

Date: 06/05/24

Detect Date: 06/02/24

NOTE: DATE AGENCY DETECTED ISSUE NOT DATE ISSUE WAS CREATED, MUST CHECK NOTE SCREEN TO VERIFY FIRST DATE ISSUE IDENTIFIED.

NRS 612. 445

Disqualification Effective Date: 04/04/21 First Benefit Week Ending Date: 04/10/21 Last Benefit Week Ending Date: 04/09/22

Investigation Summary of case facts

The claimant provided hand written wage information that she copied from her payroll records showing the claimant failed to properly report her gross earnings for a total of 31 weeks while filing for unemployment benefits. The claimant indicated she always reported her work and earnings.

Each week the claimant has filed for benefits, the claimant was asked the question "Even through you may not have been paid your wages, did you work during the week of (benefit week start date) to (benefit week end date)?" If the claimant answered the question "Yes" the claimant was asked "If you worked during the week of (benefit week start date) to (benefit week end date) enter your gross earnings and tips for the week?". The claimant provided hand written records showing her net earnings, not her gross earnings as reported by the employer on their quarterly earnings quarterly reports. Regardless, the claimant was not even reporting her net earnings per her own records.

It has been determined the claimant failed to properly report her gross earnings in order to fraudulently obtain additional unemployment benefits. Misrepresentation has been established.



SECTION 6

Determination

🛛 🏿 Fraud

Intent to misrepresent facts in order to obtain unemployment benefits has been established

Reason for Decision

The claimant provided hand written wage information that she copied from her payroll records showing the claimant failed to properly report her gross earnings for a total of 31 weeks while filing for unemployment benefits. The claimant indicated she always reported her work and earnings. The claimant provided hand written records showing her net earnings, not her gross earnings as reported by the employer on their quarterly earnings quarterly reports. Regardless, the claimant was not even reporting her net earnings per her own records. It has been determined the claimant failed to properly report her gross earnings in order to fraudulently obtain additional unemployment benefits.

Misrepresentation has been established.

SECTION 7

Disqualification

- 1. X Fraud Disqualification periods
- From 04/04/21 to 04/10/21 for 1 weeks, from HILTON RECORTS CORPORATION.
- From 04/18/21 to 05/01/21 for 2 weeks, from HILTON RECORTS CORPORATION.
- From 05/09/21 to 06/05/21 for 4 weeks, from HILTON RECORTS CORPORATION.
- o From 06/13/21 to 09/04/21 for 12 weeks, from HILTON RECORTS CORPORATION.
- From 01/09/22 to 03/12/22 for 9 weeks, from HILTON RECORTS CORPORATION.
- From 03/20/22 to 04/09/22 for 3 weeks, from HILTON RECORTS CORPORATION.
- For a total of 31 weeks



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SE	ECTION 8
	Penalties
1.	Administrative Penalty: □ First Offense
	 From 06/02/24 to 05/31/25, for a total of 52 weeks.
	ministrative Penalty Explanation: The claimant is assessed three weeks for each she failed properly report her gross earnings for a maximum of 52 weeks.
\boxtimes	Indefinite Disqualification. Will stand until all monies have been repaid and Claimant has served any administrative penalty.
	ior Disqualification: Select Option etails:
2.	
All	fraud overpayments will have a 15% penalty as required by law.
A.	at offense regardless of dollar amount involved Add a 5% discretionary penalty, for a total of 20% comprised of the 15% mandatory and 5% discretionary. Sond offense
A.	If dollar amount is greater than \$1,000 – Add a 10% discretionary penalty, for a total of 25% comprised of the 15% mandatory and 10% discretionary.
В.	For amounts below \$1,000 add a 5% discretionary penalty, for a total of 20% comprised of the 15% mandatory and 5% discretionary.
Thi	rd offense
A.	If the dollar amount is greater than \$2,500 - Add a 35% discretionary penalty for a total of 50%, comprised of 15% mandatory and 35% discretionary;
B.	If dollar amount between \$1,000 and \$2,500 add a 10% discretionary penalty, for a total of 25% comprised of the 15% mandatory and 10% discretionary.
C.	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1

Date 06/05/24

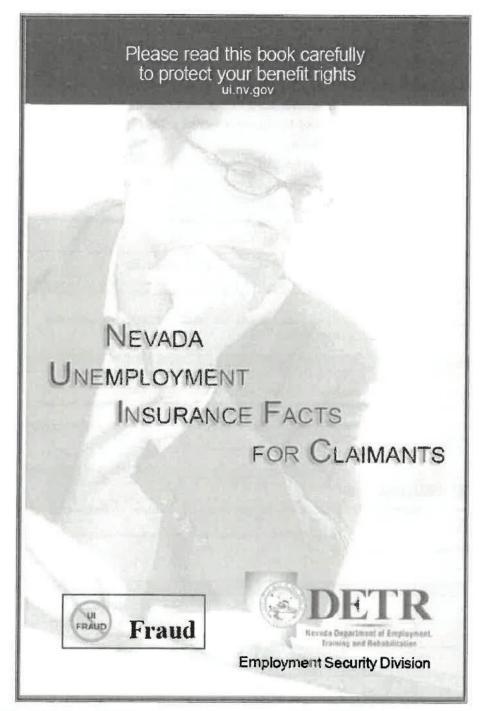


Department Representative

SECTION 9

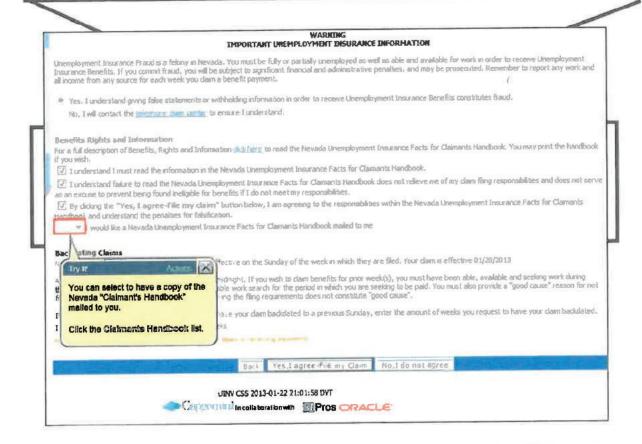
System Information

At the time an initial claim is open, the claimant is provided with the Nevada Unemployment Insurance Facts for Claimants Handbook.





- When a claim for unemployment benefits is opened through the Customer Self Service (CSS) platform (Internet) The claimant is given the option to print the booklet or have it mailed.
- · Before an initial claim can be submitted the claimant has to certify the following:
 - I understand I must read the information in the Nevada Unemployment Insurance Facts for Claimants Handbook.
 - I understand failure to read the Nevada Unemployment Insurance Facts for Claimants Handbook does not relieve me of my claim filing responsibilities and does not serve as an excuse to prevent being found inelgible for benefits if I do not meet my responsibilities.
 - By clicking the "Yes, I agree-File my claim" button below, I am agreeing to the responsibilities within Nevada Unemployment Insurance Facts for Claimants Handbook and understand the penalties for falsification.





Unemployment Handbook - Page 11: Reporting work, wages, and self-employment:

Failing to properly report work and earnings is a felony in Nevada. If you are found to have committed fraud, you will be disqualified until you have repaid the money you received from the fraudulent acts, as well as a financial penalty. You will no longer be able to use payable weeks to repay the over-payment resulting from fraud. IT IS JUST NOT WORTH IT!

If you work during a week and claim unemployment insurance benefits the same week, even if you will not be paid until a future date, you are required to report that work and the gross amount you will receive for those services. Failure to do so is considered fraud. When you file the claim for benefits, we ask you, "Even though you may not yet have been paid, did you work?" If you answer that you did not work and you actually did, you will be disqualified. No excuses will be accepted. It is your responsibility to accurately report your employment and income when receiving unemployment compensation.

You must report any work or any wages earned during the week covered by the claim. "Wages" means GROSS AMOUNT EARNED before deductions. Wages must be reported in the week in which they are earned, not when paid. Wages include:

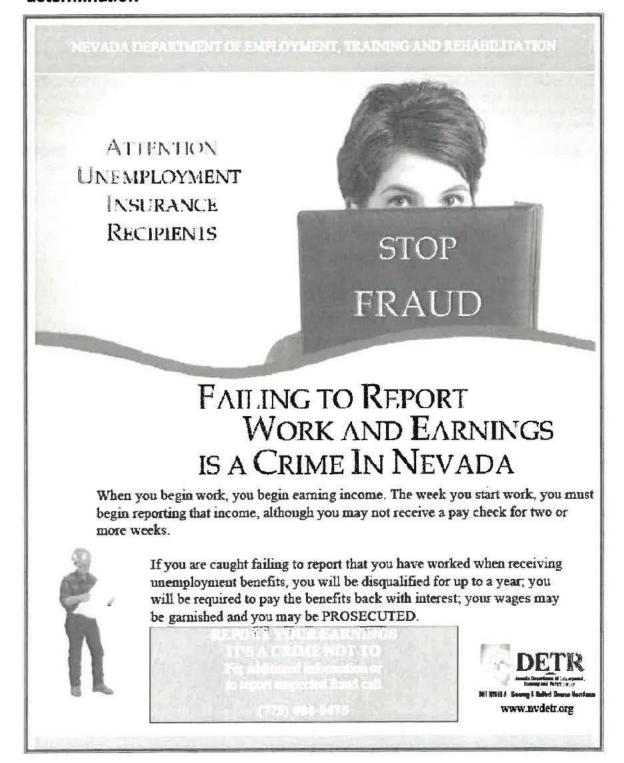
- Commissions
- Tips
- · Cash/Casual Labor
- · Cash Value of Meals (meal allowance per pay)
- Lodging (work in exchange for rent)
- · Dividends paid to a Corporate Officer
- · Profit Sharing
- · Severance/Vacation/Wages-in-lieu/Hollday pay
- 401K and other Deferred Plans
- Other type of compensation for services (working off a debt)
- Military active duty
- · Residual pay
- · Back pay awards
- · Bonus payments

Reporting your tip income correctly is not difficult. You should keep a daily tip record. The value of noncash tips, such as tickets, passes or other items of value, is also considered wages.

Seventy-five (75) percent of your gross weekly earnings will be deducted from your weekly benefit amount each week you report earnings. You will not receive benefits for any week your earnings equal or exceed your weekly benefit amount or if you are working full time. While you are working part time or on call, you must seek other full-time work. If you work and become unemployed, you must contact the Telephone Claim Center or use our Internet Claim Filing system to reopen your claim.



Fraud Advisories are mailed to the claimant with their monetary determination





Top 10 Things you should know... (Bullet item #2)

2. Report Any Wages You Earn. You must report all gross wages (before any deductions) in the week they are earned, regardless of when the wages will be paid. Failure to report wages is considered fraud, which is a felony in Nevada. Be sure to accurately report all earnings on your weekly claim certification — even those from self-employment, part-time, or temporary work.

Top 10 Things you should

about Unemployment Insurance when filing your claim in Nevada.





ONE NEVABA Growing A Skilled, Diverse Workferce

Unemployment Insurance (UI) provides temporary assistance to qualified individuals who meet eligibility requirements of each state.

Each person who collects UI benefits is legally responsible for making sure sibe follows the rules set by state law.

The Nevada Unemployment Compensation Law provides insurance and lightens the burden for "persons unemployed through no fault of their own."

Keep these top ten things in mind when filing for UI benefits to ensure accurate and quick payment of benefits.

For more information,
please visit the
Nevada Department
of Employment,
Training and Rehabilitation
at
http://ui.nv.gov

Or call
Northern Nevada
775.684.0350
Southern Nevada
702.486.0350
Long Distance or Interstate
888.890.8211

- Accurately Report the Reason You Are Unemployed. When you
 file your daim for benefits, provide the UI office with the exact reason for
 your separation so we can best determine your eligibility. Failure to report
 your work separation accurately may result in an overpayment and/or fraud
 negatible.
- 2. Report Any Wages You Earn. You must report all gross wages (before and deductions) in the week they are earned, regardless of when the wages will be paid. Failure to report wages is considered fraud, which is a felony in Nevada. Be sure to accurately report all earnings on your weekly claim certification even those from self-employment, part-time, or temporary work.
- 3. Keep your Information Current. The United States Postal Service will not forward UI Benefit Payments. Debit Carde, and other important UI related documentation. It is a requirement that you change your address when you relocate (even within the same city and state) and treep your telephone number up to date.
- 4. Register With Nevada JobConnect. Unless exempt by law, you must register with JobConnect to be eligible to collect UI benefits. JobConnect provides valuable resources for your use including job referrals, resume building and re-employment services, were nevadajobconnect.com
- 5. Be Available and Actively Searching for Work. In order to collect benefits, you must continually verify that you are able, available and willing to accept suitable work. You must sits search for work each week you file a claim for benefits. If you do not search for work during a week in which you file a claim, benefits may be denied.
- 6. Develop an Effective Work Search Plan. Contact a Nevasca JobConnect office for help with creating a work search plan.
- 7. Avoid Errors and Ensure Proper Payment of Benefits. To prevent errors in payment of UI benefits that may result in an overpayment read all of the information provided to you when you file your claim.
- 8. Don't Delay Report Your Return to Work. Be sure to report your hours and earnings on your weekly claim if you continue claiming benefits after you start a job. Do not well until you receive your first caycheck to report your hours and comings. If you have returned to work full time or are saming more than your weekly benefit amount you can simply stop filing waskly claims.
- 9. Politow the Rules to Prevent Committing Fraud, Anyone also collects UI densities is legally responsible to know and follow the requirements set by State Law. Failure to fellow the rules can result in senous consequences such as repaying benefits with penalties, forfeiting a future income call left individual state eligibility to collect UI benefits introduction or the possibility of a jail sentence.
- 10. Ask For Help, Navigating through the UI system can be confusing. If you have additional questions, please visit our website or contact a Telephone Claim Representative for assistance.

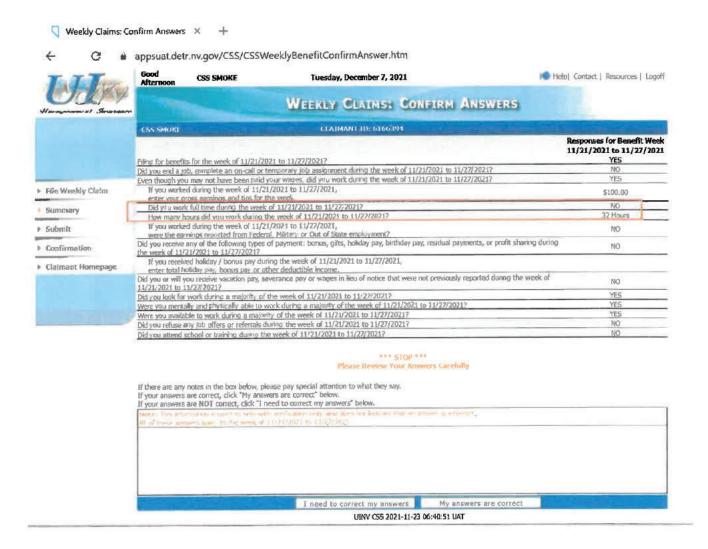


Weekly Filing:

Each week the claimant is given a series of questions to complete before their weekly claim filing can be submitted.

The following is an example of the UINV (internet) weekly filing.

One of the questions clearly states: Even though you may not have been paid your wages, did you work during the week of.. (the weekly filing lists the specific dates for the week in question).





 The following is an example of the IVR (Interactive Voice Response) telephone weekly filing system.

Answer the following questions truthfully. Warning: giving false information or answering questions for anyone other than yourself constitutes fraud and is punishable by law. Do you understand?

The following questions apply only for the week beginning (Week beginning date given to claimant) and ending (Week ending date given to claimant) at midnight.

For each of the following questions Press 1 for yes or press 9 for no.

To complete your filing transaction you must hear a message that your claim has been processed successful before disconnecting the call. If your claim cannot be processed successfully, you will be given further claim filing instructions.

Please note in order to receive a benefit payment all eligibility requirements must be met. A successfully process claim does not insure a payment benefit will be issued.

1. Did you work during the week beginning (Week beginning date given to claimant) and ending (Week ending date given to claimant)?

Press 1 to answer yes or press 9 to answer no. (It the claimant answers "Yes", the claimant will be asked the following question)

You must report wages and tips when you earn them, not when you are paid. Please enter the total dollar amount of your earnings before deductions. DO NOT ENTER CENTS, for example, press 'one two five' if your gross earnings were \$125.34. Then press the pound key.

Enter your response now.

You reported you earned (amount voiced back to the claimant)

If this amount is correct press 1 now. If this amount is incorrect and you wish to change your reported earnings press 9 now.

If the claimant answers no to question number one, the claimant will be asked the following question:

2. Did you receive Vacation, Holiday, Severance pay or Wages in lieu of notice during this week that was not reported when you filed your claim?



The following is an example of the Internet weekly filing system before UINV.

One of the questions clearly states: Even though you may not have been paid your wages, did you work during the week? The weekly filing lists the specific dates for the week in at the top of the form.

2 Weekly Claim for it	Unefilika Windows Internet Capilla to	<u>lol_×</u> l
	Nevada Internet Claims	٨
	Weekly Claim for Benefits	
	Social Security Number	
	Name MICHELLE M DE LA PARRA V/esk Ending Date 09/01/2012	
	SALES TOUTE. Yes the	100
	1. Even inpute you may not man over part you wages, but you want to man to the first the first that the first t	
	You must report wages and tips when you earned them, not when you are paid. Please enter the total dollar amount of your earnings before deductions (DO NOT ENTER CENTS): On the content of the co	
	2. Have you returned to full time work?	
	3 Were you sole to work, see lable for work, and actively looking during the majority of the C Minesk?	**)
	Were you attending school or training during the week? C	ee)
17.	 Old you refuse a job during the week or did you fail to apply for any job to which you were C is referred by a Navada JobConnect office? 	into I
	6 During the past week, did you receive previously unreported payment for any of the fellowing? 1 Unused vection 2 Payment for severence from employment based on years of senkce 3, Payment made in itsu of a notice of layof 4 Payment for a holisticy that occurred during the past week?	op!
	If a sport in year complete read detectors; a. Total Dollar Aniount (DO NOT ENTER CENTS). S 00	
	Exit Back Option Manu Print Seborit	
		7 Trusted sites 7, 100% - 4
Done		



Exhibit 2 – ESD DECISION OF DISQUALIFICATIONS FOR FRAUD

Employment Security Division

Adjudication Center 500 East Third Street Carson City, NV 89713-0035 Tel (775) 684-0302 Fax (775) 684-0338 Tel (702) 486-7999 Fax (702) 486-7987







MARIA NOVARRO

Claimant ID: 4526283 Issue ID: 7497748 Week End Date: 01/15/2022 Date Mailed: 06/07/2024 Last Day to Appeal: 06/18/2024 Decision Date: 06/06/2024

- * See back of form for Appeal Rights and other important information.
- *Vea el reverso de la hoja para los derechos de apelación y otra información importante.

DECISION

As an adjudicator, acting in my quasi-judicial capacity on behalf of the Employment Security Division (Division) Administrator, I reason and find in this decision, commonly referred to as a determination, as follows.

Regarding your commission of unemployment insurance fraud, you are not entitled to unemployment insurance benefits (benefits) from:

01/09/2022 to 03/12/2022 for 9 weeks

03/20/2022 to 04/09/2022 for 3 weeks

You are not entitled to benefits for a total of 12 weeks. As you failed to properly report work and earnings, in addition to the disqualification shown above, you are ineligible to receive benefits from 06/02/2024 to 05/31/2025, or until all benefits improperly received have been repaid in cash with any penalty and interest as allowed by law, whichever of the time periods is LATER.

As a result of your disqualification, you may have been overpaid Unemployment Insurance benefits. If you have been overpaid, you will be issued a separate determination that will show the amount overpaid.

REASON FOR DECISION

You did not properly report your earnings when filing for benefits for various periods beginning 04/04/2021 and ending 04/09/2022 while you were employed with Hilton Resorts Corporation. Filing for Unemployment Insurance benefits without properly reporting your earnings is misrepresentation. You and your employer have provided payroll & employment records showing you failed to properly report your gross earnings for a total of 31 weeks while filing for unemployment benefits.

The Division has afforded you with notice of your underreporting of earnings pertinent to your weekly claims for benefits. The Division has afforded you the opportunity to be heard in this regard. You have participated in the adjudicative process leading up to this determination. By virtue of your ability to timely appeal this determination



to the Division's administrative tribunal (or referee), thereafter to the Division's Board of Review, and thereafter to district court for judicial review, available administrative remedies are available. See NRS 612.495, 612.515 612.525 and 612.530.

In connection with your claims for benefits, you improperly obtained benefits in the form of money by false pretenses, false representations and/or actual fraud – "unemployment insurance fraud." NRS 612.455(1). Your false pretenses, false representations and/or actual fraud was accomplished by you intentionally and falsely reporting your gross wages to the Division, which the Division relied upon, to improperly obtain benefits.

As you knowingly failed to report your correct earnings, you are disqualified for benefits, as indicated above, in accordance with Nevada Revised Statutes.

Pertinent Section of Law:

NRS 612.445.1 and 6(a)(b): A person shall not make a false statement or representation, knowing it to be false, or knowingly fail to disclose a material fact in order to obtain or increase any benefit or other payment under this chapter, including, without limitation, by failing to properly report earnings or by filling a claim for benefits using the social security number, name or other personal identifying information of another person. A person who violates the provisions of this subsection commits unemployment insurance fraud. The Division shall impose a penalty not less than 15% nor more than 50% of the total amount of benefits received by the person in violation of subsection 1.

APPEAL RIGHTS

Notice: If you receive more than one decision, read each one carefully to protect your appeal rights. ANY ineligible decision will stop payment of this claim. Please read the following information carefully. If you disagree with this decision you have the right to file an appeal. The appeal must be faxed or postmarked by 06/18/2024. You may request an appeal date extension, if you did not file your appeal timely, however, you must show good cause for the delay in filing. You may appeal by writing a letter to the address shown at the top of the previous page. This appeal must include your reason for appealing, the employer name, your social security number and your signature. If an interpreter is needed, please include this request in the appeal letter. During the appeal process you must continue to file claims for any week you are unemployed to preserve any benefit rights that may be established as a result of the appeal. If your employer files an appeal, you should participate in the hearing to protect your rights. If you need additional information, please contact the telephone claims office.

An equal opportunity employer/program.

Auxiliary aids and services available upon request for individuals with disabilities

Relay 711 or (800) 326-6868

For Spanish Language Interpretation

Para la traducción al Español

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Aviso!: Esta notificación contiene información importante acerca de su reclamo, incluyendo plazos para la apelación. Si Ud. tiene problemas para leer y entender Inglés, puede contactarse con un representante de la División de Seguridad de Empleo al para assistencia en traducción.

El Norte de Nevada	1-775-687-8148
El Sur de Nevada	1-702-486-2957
Numero de llamada gratu	ita1-888-687-8147

Si la decisión establece que usted has sido descalificado para los beneficios de desempleo, usted tiene el derecho de apelar esta decisión presentando una apelación dentro de once dias con el División de Seguridad de Empleo. La fecha límite de apelación está anotada en la parte superior de la carta de decisión. Si usted no presenta una apelación a tiempo, puede perder la oportunidad de recibir los beneficios de desempleo. Si se determina que usted no tiene derecho a recibir los beneficios de desempleo, usted puede ser responsable de devolver los beneficios que haya recibido previamente.

_Page 4 of 4 LET7712_164.0.0

Employment Security Division

Adjudication Center 500 East Third Street Carson City, NV 89713-0035 Tel (775) 684-0302 Fax (775) 684-0338 Tel (702) 486-7999 Fax (702) 486-7987









Claimant ID: 4526283 Issue ID: 7497745

Week End Date: 04/10/2021 Date Mailed: 06/07/2024 Last Day to Appeal: 06/18/2024 Decision Date: 06/06/2024

* See back of form for Appeal Rights and other important information.

*Vea el reverso de la hoja para los derechos de apelación y otra información importante.

DECISION

As an adjudicator, acting in my quasi-judicial capacity on behalf of the Employment Security Division (Division) Administrator, I reason and find in this decision, commonly referred to as a determination, as follows.

Regarding your commission of unemployment insurance fraud, you are not entitled to unemployment insurance benefits (benefits) from:

04/04/2021 to 04/10/2021 for 1 week

04/18/2021 to 05/01/2021 for 2 weeks

05/09/2021 to 06/05/2021 for 4 weeks

06/13/2021 to 09/04/2021 for 12 weeks

You are not entitled to benefits for a total of 19 weeks. As you failed to properly report work and earnings, in addition to the disqualification shown above, you are ineligible to receive benefits from 06/02/2024 to 05/31/2025, or until all benefits improperly received have been repaid in cash with any penalty and interest as allowed by law, whichever of the time periods is LATER.

As a result of your disqualification, you may have been overpaid Unemployment Insurance benefits. If you have been overpaid, you will be issued a separate determination that will show the amount overpaid.

REASON FOR DECISION

You did not properly report your earnings when filing for benefits for various periods beginning 04/04/2021 and ending 04/09/2022 while you were employed with Hilton Resorts Corporation. Filing for Unemployment Insurance benefits without properly reporting your earnings is misrepresentation. You and your employer have



provided payroll & employment records showing you failed to properly report your gross earnings for a total of 31 weeks while filing for unemployment benefits.

The Division has afforded you with notice of your underreporting of earnings pertinent to your weekly claims for benefits. The Division has afforded you the opportunity to be heard in this regard. You have participated in the adjudicative process leading up to this determination. By virtue of your ability to timely appeal this determination to the Division's administrative tribunal (or referee), thereafter to the Division's Board of Review, and thereafter to district court for judicial review, available administrative remedies are available. See NRS 612.495, 612.515 612.525 and 612.530.

In connection with your claims for benefits, you improperly obtained benefits in the form of money by false pretenses, false representations and/or actual fraud – "unemployment insurance fraud." NRS 612.455(1). Your false pretenses, false representations and/or actual fraud was accomplished by you intentionally and falsely reporting your gross wages to the Division, which the Division relied upon, to improperly obtain benefits.

As you knowingly failed to report your correct earnings, you are disqualified for benefits, as indicated above, in accordance with Nevada Revised Statutes.

Pertinent Section of Law:

NRS 612.445.1 and 6(a)(b): A person shall not make a false statement or representation, knowing it to be false, or knowingly fail to disclose a material fact in order to obtain or increase any benefit or other payment under this chapter, including, without limitation, by failing to properly report earnings or by filing a claim for benefits using the social security number, name or other personal identifying information of another person. A person who violates the provisions of this subsection commits unemployment insurance fraud. The Division shall impose a penalty not less than 15% nor more than 50% of the total amount of benefits received by the person in violation of subsection 1.

APPEAL RIGHTS

Notice: If you receive more than one decision, read each one carefully to protect your appeal rights. ANY ineligible decision will stop payment of this claim. Please read the following information carefully. If you disagree with this decision you have the right to file an appeal. The appeal must be faxed or postmarked by 06/18/2024. You may request an appeal date extension, if you did not file your appeal timely, however, you must show good cause for the delay in filing. You may appeal by writing a letter to the address shown at the top of the previous page. This appeal must include your reason for appealing, the employer name, your social security number and your signature. If an interpreter is needed, please include this request in the appeal letter. During the appeal process you must continue to file claims for any week you are unemployed to preserve any benefit rights that may be established as a result of the appeal. If your employer files an appeal, you should participate in the hearing to protect your rights. If you need additional information, please contact the telephone claims office.

An equal opportunity employer/program.

Auxiliary aids and services available upon request for individuals with disabilities

Relay 711 or (800) 326-6868

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For Spanish Language Interpretation

Para la traducción al Español

Avisol: Esta notificación contiene información importante acerca de su reclamo, incluyendo plazos para la apelación. Si Ud. tiene problemas para leer y entender Inglés, puede contactarse con un representante de la División de Seguridad de Empleo al para assistencia en traducción.

El Norte de Nevada	1-775-687-8148
El Sur de Nevada	1-702-486-2957
Numero de llamada q	ratuita1-888-687-8147

Si la decisión establece que usted has sido descalificado para los beneficios de desempleo, usted tiene el derecho de apelar esta decisión presentando una apelación dentro de once dias con el División de Seguridad de Empleo. La fecha límite de apelación está anotada en la parte superior de la carta de decisión. Si usted no presenta una apelación a tiempo, puede perder la oportunidad de recibir los beneficios de desempleo. Si se determina que usted no tiene derecho a recibir los beneficios de desempleo, usted puede ser responsable de devolver los beneficios que haya recibido previamente.

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Exhibit 3 – NOTIFICATION OF OVERPAYMENT

Employment Security Division

Benefits Integrity Programs
PO Box 2288
Carson City, NV 89702-2288
Tel (775) 684-0475 Fax (775) 684-0418





21599510 https://ui.nv.gov

Claimant ID: 4526283

Re: Notification of Overpayment OP Creation Date: 03/17/2023 Date Mailed: 06/07/2024 Appeal Date: 06/18/2024



Dear MARIA NOVARRO:

A decision issued by the Employment Security Division under Nevada Revised Statutes Section 612.445.1 and 6(a)(b) resulted in a disqualification from benefits. Because you have been disqualified, you have been overpaid unemployment benefits in the amount of \$11,035.00. Pursuant to NRS 612.445, you have also been assessed a penalty in the amount of \$1,067.00. By law, both amounts must be refunded to the state of Nevada.

The decision that you have been overpaid \$11,035.00 is final unless an appeal is filed by 06/18/2024. Appeals to the overpayment must be submitted in writing and returned to this office. Your appeal rights referred to herein pertain <u>ONLY</u> to the fact that you have been overpaid. See the enclosed attachment for your appeal instructions. Should you choose not to appeal, you may complete and return the installment payment agreement to make arrangements to repay this amount over time.

Overpayments must be paid in full or by monthly installments. If you are unable to pay in full, an Installment Payment Agreement is enclosed showing the minimum monthly payment. All monthly payments must be payable to the Employment Security Division and must include your social security number. Billing statements will be sent monthly indicating payments received and balance due.

All overpayments are legally enforceable debts. Minimum payments or more must be made or legal action may be taken, including in a lien placed on your property, affect your credit rating, or garnishment of wages due you from employment. If a lien is filed, the balance due will begin to accrue interest at the current rate.

If you are currently filing and are otherwise eligible for unemployment benefits, 100% of your weekly benefit amount will be withheld and applied to the balance due. Overpayments caused by fraud or willful nondisclosure of information are not eligible for a reduction in the offset amount or for waiver, regardless of the hardship imposed by repayment. Contact the Collection unit for information regarding an installment payment agreement to prevent further legal action to collect this debt.

Make payment to:

Employment Security Division

Benefits Integrity Programs/Collection Unit

PO Box 2288

Carson City, NV 89702-2288

Encl: Repayment Agreement #2



If you are a victim of identity theft, have previously reported unemployment fraud to DETR, and received this notice based on a Questionable Identity issue there is no further action required, and you do not need to file an appeal.

If you did not know you were the victim of identity theft, please report the imposter claim to DETR and report the identity theft to relevant agencies. More details on reporting fraud are found at https://detr.nv.gov/Page/Unemployment_Fraud

INSTRUCTIONS FOR APPEALING THE OVERPAYMENT

Please read the following information carefully. If you disagree with the amount shown as the overpayment you have the right to file an appeal. If you disagree with the reason you have been overpaid, you must file a separate appeal. The appeal must be faxed or postmarked by 06/18/2024. If you do not file your appeal in a timely manner, good cause must be shown for the delay in filing. You may appeal by writing a letter to the address shown at the top of the previous page. This appeal must include your reason for appealing, your claimant identification number and your signature. If an interpreter is needed, please include this request in the appeal letter. During the appeal process you must continue to file claims for any week you are unemployed to preserve any benefit rights that may be established as a result of the appeal. If you need additional information, please contact the telephone claims office.

INFORMACIÓN EN ESPAÑOL

Este comunicado contiene información importante acerca de su sobrepago. Si usted tiene problemas para leer y comprender inglés, puede comunicarse con un representante de la División al 1-775-684-0475 para que le ayuden con la traducción.

Esta decisión establece que usted no tiene derecho a los beneficios de desempleo. Usted tiene el derecho de apelar esta decisión presentando estos papeles ante la División dentro de 11 días. Si no lo hace dentro de este plazo, puede perder el derecho a apelar y podría perder su oportunidad de recibir los beneficios de desempleo o cuestionar un sobrepago. Si no es elegible para recibir beneficios de desempleo, podría ser responsable de devolver cualquier beneficio que haya recibido previamente.

Por favor lea la siguiente información cuidadosamente. Si usted no está de acuerdo con el monto del sobrepago, tiene el derecho de presentar una apelación. Si no está de acuerdo con la razón del sobrepago, debe presentar una apelación aparte. Su apelación debe ser enviada por fax o debe tener el sello postal a más tardar 06/18/2024. Si usted no somete su apelación antes de la fecha indicada, deberá mostrar una razón buena por el retraso. Puede apelar escribiendo una carta dirigida a la dirección que aparece en la parte superior de la página anterior. Su apelación debe incluir la razón por la cual está apelando, su número de identificación (número de identificación del reclamante) y su firma. Si requiere un intérprete, por favor incluya esa petición en su carta. Durante el proceso de apelación debe continuar haciendo sus reclamos semanales cada semana que este desempleado, para poder preservar sus derechos a los beneficios que puedan ser establecidos al resolver la apelación. Si necesita alguna información adicional, por favor llame a la oficina de reclamos telefónicos.

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Employment Security Division

Benefits Integrity Programs
PO Box 2288
Carson City, NV 89702-2288
Tel (775) 684-0475 Fax (775) 684-0418





Claimant ID: 4526283

Re: Notification of Overpayment OP Creation Date: 03/17/2023 Date Mailed: 06/07/2024



NOTICE: By completing this form and sending it to the payment address shown below, you are REQUESTING that the Employment Security Division agree to your repayment plan. IF your plan is approved, you will receive a copy for your records.

I, the undersigned, hereby acknowledge indebtedness, as of the above date, to the State of Nevada Employment Security Division, in the amount of \$12,102.00; said amount consisting of unemployment benefits received by me to which I have been determined to not be entitled and received as a direct result of my failure to disclose a material fact(s) in order to obtain or increase my unemployment benefits.

I hereby agree to pay the indebtedness and I have enclosed an initial payment of \$364.00.

I will continue making payments in the sum of \$364.00. My second payment and all succeeding payments will be made by the date shown on the billing statement until all overpayment balances are paid in full.

Should I be eligible for future unemployment benefits before my total debt is repaid. I understand the Employment Security Division will withhold my weekly benefits to repay my debt. Should I not make the required monthly payment, I understand the State of Nevada will file Civil Judgment against me and my wages will be garnished as provided in NRS 612.365 and NRS 31.240 through NRS 31.460.

All payments will be made to the EMPLOYMENT SECURITY DIVISION, BENEFITS INTEGRITY PROGRAM/ COLLECTION UNIT, P O Box 2288, Carson City, Nevada 89702-2288. Upon default of any installment, all sums herein included shall be immediately payable and the Employment Security Division shall exercise its legal authority to commence civil action to recover the above-acknowledged indebtedness. If I incur a problem in making my payment, I will telephone the collections office at (775) 684-0475.

I understand that this installment payment schedule as herein set forth is subject to official approval by the Employment Security Division. THIS AGREEMENT WILL NOT BE APPROVED IF AT LEAST THE MINIMUM MONTHLY PAYMENT IS NOT ENCLOSED.

Claimant's Signature	Date
FOR DEPARTMENT USE ONLY This installment schedule is hereby app a waiver of any of the provision of the Nevad	roved disapproved, provided that such approval shall not be la Unemployment Compensation Law.
FOR THE NEVADA EMPLOYMENT SECUR	LITY DIVISION:
	Representative





Why You Should Repay This Overpayment

We retain information on this overpayment in our computer systems. The law requires that we recover this overpayment. If you do not make payments on this amount and become unemployed in the future, we will withhold 100% of any benefits you are due to repay this amount.

By making the recommended monthly payment (see the enclosed Installment Payment Agreement), you may be able to reduce the amount owed to \$0.00 before you may need to use unemployment in the future. Hopefully, you will never need benefits in the future, but if you do, and you have been making payments and there is a remaining balance due, you may then request that we reduce the amount that we withhold by 50% to provide you at least some financial support as you look for other work.

Further, your ability to obtain certain services and assistance through offices of Nevada Job Connect may be impacted if you do not make payment on this amount due. Such services may include, but are not limited to, training programs and financial assistance that may be available to obtain licenses or certifications.

We understand that repayment may be impractical at this time due to your previous or current unemployment. We encourage you to contact us and discuss your options to ensure that you do not find yourself in a position of need without assistance from Employment Security Division available to you.

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Exhibit 4 - OVERPAYMENT BREAKDOWN

Employment Security Division

Benefits Integrity Programs
PO Box 2288
Carson City, NV 89702-2288
Tel (775) 684-0475 Fax (775) 684-0418





BHE NEVADA - Growing A Skilled, Diverse Workforce

OVERPAYMENT BREAKDOWN

MARIA NOVARRO Claimant ID: 4526283

Week	In	come	В	Benefits Amount Penalty		Employer	
Ending	Reported	Earned	Paid	Allowed	Overpaid		or Cause
04/10/2021	\$432.00	\$649.49	\$69.00	\$0.00	\$69.00	\$13.80	Unreported Earnings - Fraud
04/10/2021	\$432.00	\$649.49	\$300.00	\$0.00	\$300.00	\$0.00	Unreported Earnings - Fraud
04/24/2021	\$432.00	\$555.30	\$69.00	\$0.00	\$69.00	\$13.80	Unreported Earnings - Fraud
04/24/2021	\$432.00	\$555.30	\$300.00	\$0.00	\$300.00	\$0.00	Unreported Earnings - Fraud
05/01/2021	\$288.00	\$409.42	\$177.00	\$0.00	\$177.00	\$35.40	Unreported Earnings - Fraud
05/01/2021	\$288.00	\$409.42	\$300.00	\$0.00	\$300.00	\$0.00	Unreported Earnings - Fraud
05/15/2021	\$144.00	\$291.35	\$285.00	\$0.00	\$285.00	\$57.00	Unreported Earnings - Fraud
05/15/2021	\$144.00	\$291.35	\$300.00	\$0.00	\$300.00	\$0.00	Unreported Earnings - Fraud
05/22/2021	\$180.00	\$291.35	\$258.00	\$0.00	\$258.00	\$51.60	Unreported Earnings - Fraud
05/22/2021	\$180.00	\$291.35	\$300.00	\$0.00	\$300.00	\$0.00	Unreported Earnings - Fraud
05/29/2021	\$432.00	\$447.39	\$69.00	\$0.00	\$69.00	\$13.80	Unreported Earnings - Fraud
05/29/2021	\$432.00	\$447.39	\$300.00	\$0.00	\$300.00	\$0.00	Unreported Earnings - Fraud
06/05/2021	\$432.00	\$447.39	\$69.00	\$0.00	\$69.00	\$13.80	Unreported Earnings - Fraud
06/05/2021	\$432.00	\$447.39	\$300.00	\$0.00	\$300.00	\$0.00	Unreported Earnings - Fraud
06/19/2021	\$252.00	\$360.05	\$204.00	\$0.00	\$204.00	\$40.80	Unreported Earnings - Fraud
06/19/2021	\$252.00	\$360.05	\$300.00	\$0.00	\$300.00	\$0.00	Unreported Earnings - Fraud
06/26/2021	\$288.00	\$328.97	\$177.00	\$0.00	\$177.00	\$35.40	Unreported Earnings - Fraud
06/26/2021	\$288.00	\$328.97	\$300.00	\$0.00	\$300.00	\$0.00	Unreported Earnings - Fraud



07/03/2021	\$144.00	\$328.97	\$285.00	\$0.00	\$285.00	\$57.00	Unreported Earnings - Fraud
07/03/2021	\$144.00	\$328.97	\$300.00	\$0.00	\$300.00	\$0.00	Unreported Earnings - Fraud
07/10/2021	\$288.00	\$598.21	\$177.00	\$0.00	\$177.00	\$35.40	Unreported Earnings - Fraud
07/10/2021	\$288.00	\$598.21	\$300.00	\$0.00	\$300.00	\$0.00	Unreported Earnings - Fraud
07/17/2021	\$414.00	\$598.21	\$82.00	\$0.00	\$82.00	\$16.40	Unreported Earnings - Fraud
07/17/2021	\$414.00	\$598.21	\$300.00	\$0.00	\$300.00	\$0.00	Unreported Earnings - Fraud
07/24/2021	\$433.00	\$592.02	\$68.00	\$0.00	\$68.00	\$13.60	Unreported Earnings - Fraud
07/24/2021	\$433.00	\$592.02	\$300.00	\$0.00	\$300.00	\$0.00	Unreported Earnings - Fraud
07/31/2021	\$432.00	\$592.02	\$69.00	\$0.00	\$69.00	\$13.80	Unreported Earnings - Fraud
07/31/2021	\$432.00	\$592.02	\$300.00	\$0.00	\$300.00	\$0.00	Unreported Earnings - Fraud
08/07/2021	\$432.00	\$533.60	\$69.00	\$0.00	\$69.00	\$13.80	Unreported Earnings - Fraud
08/07/2021	\$432.00	\$533.60	\$300.00	\$0.00	\$300.00	\$0.00	Unreported Earnings - Fraud
08/14/2021	\$288.00	\$533.60	\$177.00	\$0.00	\$177.00	\$35.40	Unreported Earnings - Fraud
08/14/2021	\$288.00	\$533.60	\$300.00	\$0.00	\$300.00	\$0.00	Unreported Earnings - Fraud
08/21/2021	\$378.00	\$491.68	\$109.00	\$0.00	\$109.00	\$21.80	Unreported Earnings - Fraud
08/21/2021	\$378.00	\$491.68	\$300.00	\$0.00	\$300.00	\$0.00	Unreported Earnings - Fraud
08/28/2021	\$144.00	\$491.68	\$285.00	\$0.00	\$285.00	\$57.00	Unreported Earnings - Fraud
08/28/2021	\$144.00	\$491.68	\$300.00	\$0.00	\$300.00	\$0.00	Unreported Earnings - Fraud
09/04/2021	\$0.00	\$289.77	\$393.00	\$0.00	\$393.00	\$78.60	Unreported Earnings - Fraud
09/04/2021	\$0.00	\$289.77	\$300.00	\$0.00	\$300.00	\$0.00	Unreported Earnings - Fraud
01/15/2022	\$0.00	\$404.65	\$336.00	\$0.00	\$336.00	\$67.20	Unreported Earnings - Fraud
01/22/2022	\$288.00	\$505.39	\$144.00	\$0.00	\$144.00	\$28.80	Unreported Earnings - Fraud

01/29/2022	\$0.00	\$505.39	\$336.00	\$0.00	\$336.00	\$67.20	Unreported Earnings - Fraud
02/05/2022	\$0.00	\$324.94	\$336.00	\$0.00	\$336.00	\$67,20	Unreported Earnings - Fraud
02/12/2022	\$108.00	\$394.94	\$264.00	\$0.00	\$264.00	\$52.80	Unreported Earnings - Fraud
02/19/2022	\$72.00	\$325.50	\$288.00	\$0.00	\$288.00	\$57.60	Unreported Earnings - Fraud
02/26/2022	\$234.00	\$325.50	\$180.00	\$0.00	\$180.00	\$36.00	Unreported Earnings - Fraud
03/05/2022	\$288.00	\$628.66	\$144.00	\$0.00	\$144.00	\$28.80	Unreported Earnings - Fraud
03/12/2022	\$432.00	\$628.66	\$48.00	\$0.00	\$48.00	\$9.60	Unreported Earnings - Fraud
03/26/2022	\$432.00	\$688.33	\$48.00	\$0.00	\$48.00	\$9.60	Unreported Earnings - Fraud
04/02/2022	\$324.00	\$539.50	\$120.00	\$0.00	\$120.00	\$24.00	Unreported Earnings - Fraud

Total Overpayment: \$12,102.00